UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/809,838	03/26/2004	Arya R. Behzad	1875.138000G	7963		
7590 04/24/2006 STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.			EXAM	EXAMINER		
			NGUYEN,	NGUYEN, KHANH V		
Suite 600 1100 New York Avenue, N.W.		ART UNIT	PAPER NUMBER			
Washington, DC 20005-3934			2817	·		
			DATE MAILED: 04/24/2006	DATE MAILED: 04/24/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	-0		
10/809,838	BEHZAD, ARYA R.	BEHZAD, ARYA R.		
Examiner	Art Unit			
Khanh V. Nguyen	2817			

•	LAUIIIII		
	Khanh V. Nguyen	2817	
The MAILING DATE of this communication appe	ears on the cover sheet with the o	orrespondence add	ress
THE REPLY FILED 13 March 2006 FAILS TO PLACE THIS AF	PLICATION IN CONDITION FOR	ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Not a Request for Continued Examination (RCE) in compliant.	wing replies: (1) an amendment, aft otice of Appeal (with appeal fee) in	idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
time periods: a) The period for reply expires <u>3</u> months from the mailing date	of the final rejection		
 a) The period for reply expires months from the mailing date b) The period for reply expires on: (1) the mailing date of this h 		in the final rejection, wh	ichever is later. In
no event, however, will the statutory period for reply expire	later than SIX MONTHS from the mailing	g date of the final rejecti	ion.
Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7		E FIRST REPLY WAS F	ILED WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date	on which the petition under 37 CFR 1.1	136(a) and the appropria	te extension fee
have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b)	ctension and the corresponding amount shortened statutory period for reply orig or than three months after the mailing da	of the fee. The appropr inally set in the final Offi	iate extension fee ce action; or (2) as
NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in com	pliance with 37 CER 41 37 must be	filed within two month	ns of the date of
filing the Notice of Appeal (37 CFR 41.37(a)), or any external a Notice of Appeal has been filed, any reply must be filed	ension thereof (37 CFR 41.37(e)), to	avoid dismissal of th	e appeal. Since
AMENDMENTS			
3. The proposed amendment(s) filed after a final rejection,			ecause
 (a) ☐ They raise new issues that would require further co (b) ☐ They raise the issue of new matter (see NOTE below 		ı ⊏ below),	
(c) They are not deemed to place the application in be appeal; and/or		ducing or simplifying	the issues for
(d) They present additional claims without canceling a	corresponding number of finally re	ected claims.	
NOTE: (See 37 CFR 1.116 and 41.33(a)).		•	
4. The amendments are not in compliance with 37 CFR 1.1	21. See attached Notice of Non-Co	mpliant Amendment	(PTOL-324).
5. Applicant's reply has overcome the following rejection(s			
 Newly proposed or amended claim(s) would be a non-allowable claim(s). 			
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		ill be entered and an e	explanation of
Claim(s) allowed: <u>11-17</u> .			
Claim(s) objected to: <u>25 and 26</u> . Claim(s) rejected: <u>18-23</u> .		•	
Claim(s) withdrawn from consideration:			11
AFFIDAVIT OR OTHER EVIDENCE 8. ☐ The affidavit or other evidence filed after a final action, by	ut before or on the date of filing a N	lotice of Appeal will no	ot be entered
because applicant failed to provide a showing of good ar was not earlier presented. See 37 CFR 1.116(e).	nd sufficient reasons why the affidar	vit or other evidence i	s necessary and
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessa 	overcome <u>all</u> rejections under appery and was not earlier presented. S	al and/or appellant fa See 37 CFR 41.33(d)(ils to provide a 1).
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	on of the status of the claims after e	entry is below or attac	hed.
11. The request for reconsideration has been considered by	ut does NOT place the application i	n condition for allowa	nce because:
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper I	No(s)	
13. ☑ Other: <u>See Continuation Sheet</u> .		legul On to	and en
		Khanh V Nguyen	
		Primary Examiner	

Art Unit: 2817



Continuation of 13. Other: Note, the amendment filed on March 13, 2005, applicant deleted the second limitation ("generating a voltage control signal based on an amplitude of the input signal voltage") and also added (the adjusting step including reducing a drain source voltage across the variable gain amplifier for increasing amplitude of the input signal voltage"). Eventhough, the amended subject matters disclosed in the original specification, but they were not disclose in the original claims. Therefore, the deleted and amended subject matters raise new issues that would require further consideration and search.